

- Q2
4. (amended) The process of Claim 3 wherein [computing said score] transforming said data is achieved by calculating a category score for each category.
5. (amended) The process of Claim 4 wherein [the] each category score is weighted and combined with other category scores and used to modify a primary risk indicia to calculate [a] said composite score.
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- Q3
7. (amended) The process of Claim 6 wherein the probable success factor is multiplied in a post-computer step by projected recoveries to determine the net recovery from commercializing the intellectual property.
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- Q4
11. (amended) A process for determining the probable success of a lawsuit comprising the steps of:
- a) interacting with a pre-programmed computer;
 - b) entering data from one or more sources into said computer, said computer having been pre-programmed such that said data is organized by pre-determined categories;
 - c) evaluating the data by comparing [it] each category to a preset standard;
 - d) [computing a] transforming said data into a composite score which represents a relative degree of strength associated with the lawsuit;
 - e) using the composite score to determine a probable success factor for undertaking the lawsuit.
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- Q5
13. (amended) The process of Claim 12 wherein the composite score is [a risk factor score] based upon an evaluation of one or more risk factors specific to the intellectual property upon which a suit is being brought.
14. (amended) The process of Claim 12 wherein the composite score is a category score resulting from categorizing various risk factors into categories and determining a category score.
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- Q6
17. (amended) The [method] process of Claim 16 wherein the probable success factor is applied in a post-computer step to a projected recovery to determine the net recovery.
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- Q7
19. A computer for determining the risk associated with commercializing intellectual property according to Claim 1.

REMARKS

Claims 1-18 are pending in the application and have been rejected by the Examiner as non-statutory under 35 U.S.C. 101. The claims have also been rejected under 35 U.S.C. 103(a) as being obvious over DeTore et al. in view of Robinson, W.J. "Insurance Coverage of Intellectual Property Lawsuits in the Computer Industry."